

THE STATE BAR OF CALIFORNIA

AGENDA

BOARD OF GOVERNORS MEETING

AT

**The State Bar Offices
180 Howard Street, 4th Floor
San Francisco, California 94105
(415) 538-2000**

Saturday, December 6, 2003

(The times listed below are guidelines. The President reserves the right to adjust this schedule.)

Time (estimates only)

OPEN SESSION

(Capozzi) **10 MINUTES** 10:30 a.m.
(3 minutes)
October 18, 2003

(Capozzi) **30 PRESIDENT'S REPORT** 10:33 a.m.
(10 minutes)

1. Ratification of date change regarding the January 2005 Board meeting from January 27 - 29 to January 20 - 22, 2005, location to be decided.
2. Judicial Branch Budget—status report

(Johnson) **40 STAFF REPORTS** 10:43 a.m.
(5 minutes)
41 Executive Director
42 Secretary's Report

PART I Announcement of 2004 Board of Governors Election Schedule

50 CONSENT AGENDA

10:48 a.m.
(2 minutes)

- (Capozzi) 51 Financial Statement for Quarter Ended September 30, 2003
- (Capozzi) 52 Investment Report for Quarter Ended September 30, 2003
- (Capozzi) 53 Client Security Fund Report for Quarter Ended September 30, 2003
- (Van de Kamp) 54-121 *Rules of Procedure of the State Bar of California*—proposed amendments following public comment period regarding Probation Unit transition

100-300 REPORTS OF BOARD COMMITTEES

(Capozzi) **110 Board Operations** 10:50 a.m.
(10 minutes)

- *111 Memoranda of Understanding 2004-2005—proposed ratification of amendments
- *111A Employee Rules—proposed conforming amendments
- *112 *Rules and Regulations Pertaining to the Employment of Confidential Employees*—proposed amendments

(Van de Kamp) **120 Regulation, Admissions, & Discipline Oversight** 11:00 a.m.
(5 minutes)

- 122 *Rules of Procedure of the State Bar of California*—proposed request to extend sunset of Rules 800-807 [Pilot Program]

(Cavanaugh) **130 Member Oversight** 11:05 a.m.
(10 minutes)

- 131 *Rules and Regulations of the State Bar of California*, Article 1, Section 7.2 [Waiver of 2004 Membership Fees and Penalties for Members of Armed Services]—proposed amendments following public comment period
- 132 *Rules and Regulations of the State Bar of California*, Article 1, Section 7.1 [Scaling of Membership Fees]—proposed amendments to conform with *Business and Professions Code* section 6141.1(b), as amended, pursuant to AB 1708 [Fee Bill]

- 133 Members' Requests for Adjustments to Fees and/or Penalties
—proposed action

(Roeca)

140 Planning, Program Development, and Budget

11:15 a.m.
(15 minutes)

- 141 2004 Membership Fees, Penalties and/or interest—proposed
increasing of payment options for fees paid after August 15,
2004
- 142 Restricted Fund for Administration and Support—proposed
creation
- *144 180 Howard Street, San Francisco—proposed tenant lease and
financing

(Kral)

150 Volunteer Involvement

11:30 a.m.
(2 minutes)

(Scott)

160 Stakeholder Relations

11:32 a.m.
(20 minutes)

- 161 Report of the Chief Legislative Counsel
- 162 Immediate Action Items
- 163 Statewide Action Plan for Serving Self-Represented
Litigants—proposed comment
- 164 *Business and Professions Code* 6060 [Admission to the
Practice of Law: Qualifications; Examination and
Fee]—proposed new subsection 6060.4 [Qualifications of
Foreign Educated Applicants]

(Capozzi)

170 Task Force on Sections

11:52 a.m.
(5 minutes)

LUNCH

12:00 noon
(1 hour)

CLOSED SESSION

1:00 p.m.
(1 hour)

1000 MINUTES

October 17 - 18, 2003

(Closed pursuant to Rules Governing Open Meetings, Closed Sessions and Records of the Board of Governors, article 5, section 3(a))

3000 REPORTS OF BOARD COMMITTEES

3140 Planning, Program Development, and Budes

3143 LAP Peer Consultants—status of RFP response and contract negotiations

(Closed pursuant to Business and Professions Code section 6026.5(d))

4000 STAFF REPORTS

4010 General Counsel—report (a) certain litigation (to be identified), (b) any settlement matters, (c) prospective litigation, (d) any requested waivers of claims of privilege

*111 Memoranda of Understanding 2004-2005—proposed ratification of amendments

*111A Employee Rules—proposed conforming amendments

*112 *Rules and Regulations Pertaining to the Employment of Confidential Employees*—proposed amendments

*144 180 Howard Street, San Francisco—proposed tenant lease and financing

(Closed pursuant to Business and Professions Code section 6026.5(a))

5000 CLOSED CONSENT

None

(Kral)

6000 APPOINTMENTS

6010 CLOSED CONSENT

6011 Legal Services of Northern California—interim appointment of attorney members to Board of Directors

6020 California Commission on Access to Justice—annual appointment of officers

6030 Lawyer Assistance Program Oversight Committee—appointment of members

6040 Legal Specialization: ADR Consulting Group—appointment of public member

6050 Commission on Judicial Nominees Evaluation—interim appointment of member

6060 Foundation of the State Bar of California—reappointment of members to the Board of Directors

6070 Family Law Advisory Commission—interim appointment of member

6080 Personal, Small Business Bankruptcy Law Advisory Commission—interim appointment of member

(Closed pursuant to Business and Professions Code section 6026.5(g))

ADJOURN

2:00 p.m.

THE STATE BAR OF CALIFORNIA

NOTICE AND AGENDAS

Pursuant to the Rules Governing Open Meetings, Closed Sessions and Records of the Board of Governors of the State Bar, article 2, section 2, notice is hereby given of the following regular meeting of the Board of Governors of the State Bar of California and the Board Committees and Task Force of the State Bar of California:

**The State Bar Offices
180 Howard Street, 4th Floor
San Francisco, California 94105
(415) 538 - 2000**

Thursday, December 4, 2003

6:00 p.m. - 8:00 p.m.	Planning, Program Development and Budget	Conference Rooms D/E
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Friday, December 5, 2003

8:00 a.m. - 9:00 a.m.	Board Operations	Conference Room E
9:00 a.m. - 11:00 a.m.	Planning, Program Development, and Budget	Conference Room E
9:00 a.m. - 11:00 a.m.	Member Oversight	Conference Room C
11:00 a.m. - 1:00 p.m.	Stakeholder Relations	Board Room A/B
11:00 a.m. - 1:00 p.m.	Volunteer Involvement	Conference Room C
1:00 p.m. - 2:00 p.m.	LUNCH	Conference Rooms D/E
2:00 p.m. - 4:00 p.m.	Regulation, Admissions and Discipline	Board Room A/B/C

Saturday, December 6, 2003

8:30 p.m. - 10:30 p.m.	Planning, Program Development, and Budget Presentation To Board re January 2004 Planning Session	Board Room A/B/C
10:30 a.m. - 3:30 p.m.	BOARD MEETING	Board Room A/B/C

[For your convenience, a list of the Board Committees and their membership is below]

**Committee on Board Operations [Bd. Ops.]
(110)**

1. **Anthony P. Capozzi, Chair**
2. Matthew E. Cavanaugh
3. Judy Johnson
4. Vivian L. Kral
5. Russell Roeca
6. Windie O. Scott
7. John G. Snetsinger
8. John K. Van de Kamp
9. Chantel L. Walker

**Planning, Program Development, and Budget Committee [PPDB]
(140)**

1. **Russell Roeca, Chair**
2. Chantel L. Walker, *Assistant Chair*
3. Richard L. Crabtree
4. James O. Heiting
5. Paul S. Hokokian
6. Steven J. Ipsen
7. Melvin D. Lee
8. Joel S. Miliband
9. Dorothy M. Tucker

**Member Oversight Committee [MOC]
(130)**

1. **Matthew E. Cavanaugh, Chair**
2. David M. Marcus, *Assistant Chair*
3. Raymond G. Aragon
4. Janet M. Green
5. Roderick A. McLeod
6. Sheldon H. Sloan
7. John G. Snetsinger

**Regulation, Admissions, and Discipline Oversight Committee [RAD]
(120)**

1. **John K. Van de Kamp, Chair**
1. Janet M. Green, *Assistant Chair*
2. Raymond G. Aragon
3. A.P. Diaz
4. Thomas T. Haider
5. Roderick A. McLeod
6. Joel S. Miliband
7. Demetrius D. Shelton
8. Dorothy M. Tucker

**Stakeholder Relations Committee [SRC]
(160)**

1. **Windie O. Scott, Chair**
2. John G. Snetsinger, *Assistant Chair*
3. A.P. Diaz
4. Thomas T. Haider
5. James O. Heiting
6. Steven J. Ipsen
7. Melvin D. Lee
8. Sheldon H. Sloan
9. Chantel L. Walker

**Volunteer Involvement Committee [VIC]
(150)**

1. **Vivian L. Kral, Chair**
2. Paul S. Hokokian, *Assistant Chair*
3. Richard L. Crabtree
4. David M. Marcus
5. Demetrius D. Shelton

**Task Force on Sections
(170)**

1. **Anthony P. Capozzi, Chair**
2. Richard L. Crabtree
3. Vivian L. Kral
4. Roderick A. McLeod
5. Dorothy M. Tucker
6. Dena Cruz
7. David Fink
8. Paul Kramer
9. John O'Bannion